

LEWIS, FEINBERG, LEE, RENAKER & JACKSON, P.C.
JEFFREY LEWIS - 066587
jlewis@lewisfeinberg.com
BILL LANN LEE - 108452
blee@lewisfeinberg.com
ANDREW LAH - 234580
alah@lewisfeinberg.com
SACHA CRITTENDEN STEINBERGER - 253823
ssteinberger@lewisfeinberg.com
476 9th Street
Oakland, CA 94607
Telephone: (510) 839-6824
Facsimile: (510) 839-7839

Attorneys for Plaintiff
RETIREE SUPPORT GROUP OF CONTRA COSTA
COUNTY

(See Attached for Additional Counsel)

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

RETIREE SUPPORT GROUP OF
CONTRA COSTA COUNTY,

Plaintiff,

v.

CONTRA COSTA COUNTY,

Defendant.

No. CV 12-00944 (JSW)

**STIPULATION EXTENDING TIME FOR
FILING OF SECOND AMENDED
COMPLAINT, VOLUNTARY
PRODUCTION OF DOCUMENTS AND
RESETTING OF CASE MANAGEMENT
CONFERENCE; ~~PROPOSED~~ ORDER**

N.D. Local Rule 6-1(a)

(Additional Counsel)

HANSON BRIDGETT LLP
RAYMOND F. LYNCH – 119065
rlynch@hansonbridgett.com
SARAH D. MOTT – 148597
smott@hansonbridgett.com
JANE FEDDES – 282117
jfeddes@hansonbridgett.com
425 Market Street, 26th Floor
San Francisco, CA 94105
Telephone: (415) 777-3200
Facsimile: (415) 541-9366

COUNTY COUNSEL,
CONTRA COSTA COUNTY
SHARON L. ANDERSON - 94814
sharon.anderson@cc.cccou-nty.us
MARY ANN McNETT MASON - 115089
maryann.mason@cc.cccounty.us
651 Pine St., 9th Floor
Martinez, CA 94553
Telephone: (925) 335-1800
Facsimile: (925) 646-1078

Attorneys for Defendant
CONTRA COSTA COUNTY

1 Plaintiff Retiree Association of Contra Costa County ("Plaintiff") and Defendant Contra
 2 Costa County ("County" or "Defendant") ("the Parties"), by and through their respective counsel
 3 of record, hereby stipulate and agree as follows:

4 1. On July 10, 2012, the Court issued its Order Granting Motion to Dismiss (Dkt 32),
 5 allowing Plaintiff leave to amend its complaint by August 10, 2012. Under the Order, Plaintiff
 6 may file a stipulation to extend the deadline if it needs "additional time to discover the ordinances
 7 and resolutions upon which its members' claims are predicated." *Id.* at 5.

8 2. On July 13, 2012, the Parties met and conferred regarding the Court's Order.
 9 Plaintiff informed the County it intends to file a Second Amended Complaint and that it requires
 10 additional time to obtain and review additional documents. The County stated it is not opposed to
 11 an extension of time. The Parties discussed possible voluntary production of documents by the
 12 County. The Parties agreed to participate in a second meet and confer session after Plaintiff
 13 provided the County with a list of requested documents.

14 3. On July 17, 2012, Plaintiff provided the County with its list of requested
 15 documents:

- 16 1. All Memoranda of Understanding and all resolutions ratifying the MOUs;
- 17 2. All resolutions and attachments to the resolutions relating to retiree health
 18 benefits;
- 19 3. All documents relating to the adoption, interpretation, or implementation of
 20 any resolution or MOU regarding retiree health benefits, including but not limited to job
 21 announcements and postings, employee handbooks, staff memoranda prepared for the
 22 Board, and cost analyses of retiree health care;
- 23 4. All board meeting minutes, agenda, and attachments relating to retiree
 24 health benefits;
- 25 5. All recordings of Board of Supervisor meetings.

26 4. On July 20, 2012, the Parties met and conferred regarding those requests. Plaintiff
 27 stated it was requesting documents dating back to January 1, 1970. The County agreed
 28 voluntarily to provide extant non-privileged documents responsive to Request Nos. 1, 2, 4 and 5
 back to January 1970. Relating to Request No. 3, the County also agrees to produce any other
 non-privileged, public documents that were provided to the Board of Supervisors accompanying

1 the passage of the resolutions relating to the MOUs or retiree health benefits. The Parties
 2 disagree as to whether any further production by the County with respect to Request No. 3 is
 3 required now. Plaintiff requests a status conference regarding this issue at the Court's earliest
 4 convenience and the County will not oppose holding such a conference.

5 5. The Parties wish to cooperate and have generally agreed to the following schedule
 6 to produce the agreed upon documents as referenced above, amend the complaint, file a
 7 responsive pleading and a subsequent briefing schedule:

- 8 a. The County will make reasonable good faith efforts to provide documents
 9 responsive to Request Nos. 1, 2, 4 and 5 within sixty (60) days or September
 10 27, 2012;
- 11 b. Plaintiff will file its amended complaint within sixty (60) days after completion
 12 of the County's production or November 30, 2012;
- 13 c. Because of the holidays and possible furloughs, the County will file its
 14 responsive pleading by January 9, 2013;
- 15 d. If the County files a motion to dismiss, Plaintiff's opposition brief will be filed
 16 twenty-five (25) days after the County files the motion; and
- 17 e. The County's reply brief will be filed eleven (11) days after the filing of
 18 Plaintiff's opposition brief.

19 The briefing schedule is identical to that previously ordered by the Court. (*See* Dkt. 22)

20 7. On July 27, 2012, the Court re-scheduled the Case Management Conference for
 21 October 12, 2012. (*See* Dkt. 34) Lead counsel for the County will be unable to attend on that
 22 date because he will be in Europe on a pre-planned family vacation and will not return until
 23 October 16, 2012.

24 8. The Parties believe there is good cause and request the Court to re-schedule the
 25 Case Management Conference to a date after October 16, 2012. (*See* Declaration of Raymond F.
 26 Lynch, attached hereto and incorporated herein.)

27 ///

28 ///

1 **IT IS SO STIPULATED** between the Parties.

2
3 DATED: August 2, 2012

LEWIS, FEINBERG, LEE, RENAKER &
JACKSON, P.C.

4
5 By: /s/ Jeffrey Lewis

Jeffrey Lewis
Attorneys for Plaintiff
RETIREE SUPPORT GROUP OF
CONTRA COSTA COUNTY

6
7
8 DATED: August 2, 2012

HANSON BRIDGETT LLP

9
10 By: /s/ Raymond F. Lynch

Raymond F. Lynch
Sarah D. Mott
Attorneys for Defendant
CONTRA COSTA COUNTY

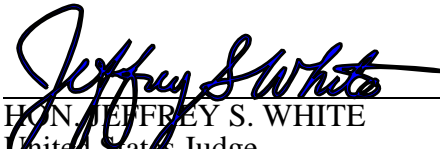
11
12
13
14 **ORDER**

15 PURSUANT TO THE FOREGOING STIPULATION:

- 16 1. Plaintiff is granted additional time to file its amended complaint.
- 17 2. The schedule set forth by the Parties is acceptable.
- 18 3. For good cause shown, the Court resets the Case Management Conference to
- 19 February 1, 2013 at 1:30 p.m.
2012.

20 IT IS SO ORDERED.

21
22
23 Dated: August 6, 2012



HON. JEFFREY S. WHITE
United States Judge